

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Public Service – HM & FW Department – Dr. G. Gangadharam, Medical Officer NRHM, Government Ayurveda Dispensary, Primary Health Centre, Koduru, Nellore District for providing appointment as regular Medical Officer (Ayurveda) by extending the benefit of age concession in favour Scheduled Caste - accepted – Orders – Issued.

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**HEALTH, MEDICAL & FAMILY WELFARE (I.2) DEPARTMENT**

**G.O.Ms.No. 239**

**Dated: 17-09-2012**

**Read the following:**

1. G.O.Rt.No.254, HM & FW (I.2) Department, Dated 01-02-2011.
2. Representation of Dr. G. Gangadharam, Medical Officer (NRHM), GAD, PHC, Koduru, Nellore District, dated 23-12-2011.
3. The Commissioner of AYUSH Memo No.117/A.2/2012, Dated 28-01-2012 & 10-02-2012.
4. Interim Orders of Hon'ble APAT dated 03-02-2012 in O.A.No.179/2012 filed by Dr. G.Gangadharam, Medical Officer (NRHM).

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**ORDER :**

In the reference 1<sup>st</sup> read above the Government have permitted the Commissioner of AYUSH, to fill up 439 vacant posts of Medical Officers of Ayush and 60 posts of Lecturers in Homoeo by direct recruitment. Accordingly the Commissioner of AYUSH has issued a notification on 02-06-2011 among other things, specifying the upper age limit as 43 years for OCs and 47 years for SC/ST/BCs. The application of Dr. G. Gangadharam, Medical Officer (contract basis) was not considered on the ground that he crossed the upper age limit of 47 years as on the date of notification. As per the interim orders of Hon'ble APAT dated 23-06-2011 in O.A.No.5237/2011 the application of the individual was accepted by the Commissioner of AYUSH and the process of selection was completed and a list of selected candidates was announced on 24-10-2011, wherein Dr. G. Gangadharam, Medical Officer (contract basis) was found in the list of selected candidate under O.C. category as he had secured merit marks as per the norms of notification, but he was not called for counseling due to exceeding of upper age limit as on 01-07-2011 by 9 months 21 days.

2. In the reference 2<sup>nd</sup> read above Dr. G. Gangadharam, Medical Officer (Ayur), Contract basis has requested for his appointment to the post of Medical Officer (Ayur) on regular basis as per the (Notification dated 02-06-2011) by extending the benefit of age concession in favour Scheduled Casts as per G.O.Ms.No.42, Social Welfare (ROR.1) Department, dated 08-06-2011 read with G.O.Ms.No.72, Social Welfare (ROR.1) Department, dated 21-12-2011.

3. In the reference 3<sup>rd</sup> read above the Commissioner of AYUSH has examined the request of the applicant with reference to the orders issued by the Government has decided that the age relaxation issued in G.O.Ms.No.72, Social Welfare (ROR.1) Department, dated 21-12-2011 for general rule of the APSSSR 1996, but the post of Medical Officer is governed by the special rules issued in G.O.Ms.No.67, HM & FW (I.2) Department, Dated 14-03-2005 and the age limit is enhanced in G.O.Ms.No.318, HM & FW (R2) Department, dated 28-08-2008 for two years for recruitment of posts of Medical Officers in AYUSH Department

(PTO)

and the age limit is 43 years for OCs, and 47 years for BCs/SCs/STs. Accordingly notification was issued on 02-06-2011 and selection of Medical Officers were completed. Thus the request of Dr. G.Gangadharam, MO (Contract basis) is not feasible for consideration, since he is above 47 years of age as per his date of birth dt. 10-09-1963, hence rejected the request of the individual.

4. Based on the above action the individual has filed O.A. bearing No.179/2012 before the Hon'ble APAT, Hyderabad. The Hon'ble Tribunal has passed interim orders on 03-02-2012 directing the respondents to permit the applicant herein to participate in the counseling, subject to verification of the original certificates by the competent authority for issuance of necessary posting orders as Medical Officer (Ayurveda) in Zone-III as per G.O.Ms.No.42, Social Welfare (ROR.1) Department, dated 08-06-2011.

5. The Government, after careful examination have decided to set aside the orders of Commissioner of Ayush issued vide reference 3<sup>rd</sup> read above rejecting the case of the applicant in the light of Hon'ble APAT Orders as per the norms of GO.Rt.No. 254, HM & FW (I.2) Dept., dt. 01-02-2011 and subsequent notification dt. 02-06-2011 read with G.O.Ms.No.42, Social Welfare (ROR.1) Department, Dated 08-06-2011 and G.O.Ms.No.72, Social Welfare (ROR.1) Department, dated 21-12-2011

6. Accordingly, Government hereby order to set aside the orders of Commissioner of Ayush issued vide reference 3<sup>rd</sup> read above rejecting the case of the applicant in the light of orders of Hon'ble APAT and the Commissioner of Ayush is directed to issue orders of appointment to the individual as Medical Officer on regular basis as per the norms of GO.Rt.No. 254, HM & FW (I.2) Dept., dt. 01-02-2011 read with G.O.Ms.No.42, Social Welfare (ROR.1) Department, Dated 08-06-2011 and G.O.Ms.No.72, Social Welfare (ROR.1) Department, dated 21-12-2011.

7. The Commissioner of AYUSH, Andhra Pradesh, Hyderabad shall take further action in the matter accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**AJAY SAWHNEY  
PRINCIPAL SECRETARY TO GOVERNMENT**

To  
Dr. G. Gangadharam, Medical Officer (contract basis),  
GAD, PHC, Koduru, Nellore District through Commissioner of AYUSH, AP,  
Hyderabad.  
The Commissioner of AYUSH, AP, Hyderabad.  
Copy to  
The Prl. Secretary to Chief Minister.  
The Social Welfare (ROR.1) Department.  
The GA (Ser.d) Dept.  
The Law Dept.  
The Govt. Pleader, APAT, Hyderabad.  
SF/SC.

**// FORWARDED :: BY ORDER//**

**SECTION OFFICER**